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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
11

12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 vs.  
15 TEOFIL BRANK,  
16 Defendant.

CASE NO. CR-15-131-JFW

**DECLARATION OF ARIEL A.  
NEUMAN IN SUPPORT OF REPLY  
IN SUPPORT OF MOTION TO  
QUASH TRIAL SUBPOENA TO  
NON-PARTIES JAMES NAUWENS  
AND NARDELLO & CO., LLC**

Hearing Date: June 25, 2015  
Time: 11:00 a.m.  
Crtrm.: 16  
Judge: Hon. John F. Walter

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2 **DECLARATION OF ARIEL A. NEUMAN**

3 I, Ariel A. Neuman, declare as follows:

4 1. I am an active member of the Bar of the State of California and a  
5 Principal with Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow,  
6 A Professional Corporation, attorneys of record for Non-Parties James Nauwens and  
7 Nardello & Co., LLC, in this action. I make this declaration in support of the Reply  
8 in Support of Motion To Quash Trial Subpoena To Non-parties James Nauwens  
9 And Nardello & Co., LLC. Because this declaration is made for that limited  
10 purpose, it does not purport to set forth all of my knowledge regarding this matter.  
11 Except for those matters stated on information and belief, I make this declaration  
12 based upon personal knowledge and, if called upon to do so, I could and would so  
13 testify.

14 2. I have reviewed a copy of the FBI report (the "FBI 302") documenting  
15 a March 3, 2015 meeting between Douglas Axel, James Nauwens, and FBI agents.  
16 Based on my review of the docket in this case and discussions with counsel involved  
17 in this matter, I believe that the FBI 302 was publicly filed as Exhibit A to Docket  
18 Number 184, filed on June 15, 2015 in this matter. However, access to that filing is  
19 currently "restricted" on the Court's e-filing system. Accordingly, rather than  
20 publicly file the FBI 302, in an abundance of caution, I refer the court to Exhibit A  
21 to Docket Number 184, and summarize the relevant portion of the FBI 302 below.

22 3. Based on my review of the FBI 302, I know that it states that during the  
23 meeting, Mr. Axel provided certain "documentary support" to the FBI. Among the  
24 items provides were text messages, call logs, voicemail logs, and other items. The  
25 FBI 302 notes that each of those items was "extracted . . . by Stroz Friedberg LLC."  
26 The FBI 302 does not indicate that any information extracted by or created by  
27 Nardello employees or consultants was provided to the FBI.  
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4. On June 8, 2015, I spoke with Deputy Federal Public Defender Seema Ahmad regarding the subpoena issued to Nauwens and Nardello. During that conversation, Ms. Ahmad appeared to be reviewing the FBI 302 referenced above, and told me that it stated that the text messages and other items were extracted by Stroz Friedberg LLC, not Nardello.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on June 25, 2015, at Los Angeles, California.

/s/ Ariel A. Neuman  
Ariel A. Neuman